

Recommendation Report for Planning Permission**REF NO:** EG/68/12/**LOCATION:** 73 Elm Grove
Barnham
Bognor Regis**PROPOSAL:** Remove lean-to porch and construct a single storey extension to the rear of the property.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The proposed rear extension measures approximately 9.7m in width, depth of 5.2m with a maximum height of 4.6m.
SITE AREA	Approximately 625 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front is part open then close boarded fencing, west side boundary to road close boarded fencing approximately 1.8m in height, east side boundary to school close boarded fencing + hedging approximately 2m in height, rear has close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	Detached bungalow with front porch and lean-to on rear (to be demolished). Detached garage in rear garden on east side, wooden shed. The property is substantially red brick with some render and white shiplap, brown tiled roof with white window frames.
CHARACTER OF LOCALITY	Residential road comprising detached, semi-detached and terraced properties of various styles and designs.

RELEVANT SITE HISTORY

EG/16/09/	Install a new 6' (1.8m) timber fence to part of the front boundary of the property.	Approve Conditionally 01-05-2009
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REPRESENTATIONS**Representations received:**Eastergate Parish Council
Awaited**Comments on Representations received:**

None

CONSULTATIONS

Southern Water Planning
Engineering Services Manager

Consultations responses received:

Southern Water

Anti Flood Devices within the site. Southern Water requires a formal application for any new connection to the public sewer to be made by the applicant or developer. If approved, an informative should be attached to any consent.

Engineers

It is noted that surface water will be discharged to soakaways. If approved, please apply a soakaway condition but omit reference to groundwater monitoring. We have a monitoring borehole close to the property and therefore that data which we have collected can be used to support the applicants soakaway design.

It is believed that this property suffers from flooding from the foul sewerage system during certain extreme rainfall events.

Comments on Consultation responses:

Engineers and Southern Water comments noted

If approved, a soakaway condition will be imposed and an informative regarding any new connection to the public sewerage system.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	DEV19 GEN2 GEN7 GEN9	Extensions to existing residential buildings Built-up Area Boundary The Form of New Development Foul and Surface Water Drainage
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PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003 and the South East Plan adopted in 2009.

It should be noted that the Arun District Local Plan was adopted in 2003 and the South East Plan in 2009.

In accordance with paragraphs 214 of the NPPF, the South East Plan is afforded full weight as part of the development plan. Footnote 41 (page 49) states the Governments clear policy intention to revoke regional strategies.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The detached bungalow is sited on a corner plot and is well screened by fencing and hedging. The application seeks to demolish the existing flat roof lean-to on the rear of the dwelling and construct a rear extension.

The proposed pitched gabled roof extension will have a slightly lower ridge height than the existing roof line. It will be the whole width of the dwelling 9.7m with a rear projection of 5m and a maximum height of 4.4m and the materials to be used will match the existing dwelling. The extension is considered to be of an acceptable size and height that is visually subservient to the main dwelling

To the east of the site are the grounds of the Barnham Primary School. The immediate property to the rear No 72 Elm Grove which is a chalet style property is sited approximately 5m away. This property has a high level window on the south side elevation of the property which is an ancillary window that serves the lounge. With adequate distance to this property it is not considered that the extension would detrimentally harm the occupiers by way of loss of outlook or overlooking.

The extension is not readily visible from the front of the site but the roof is visible above the boundary screening along the western side of the property. The proposal is not considered to be of an obtrusive nature, nor would it harm the established character and appearance of the surrounding residential area.

It is therefore recommended that the application be approved, subject to conditions.

HUMAN RIGHTS ACT

Human Rights Act:

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal a neutral impact has been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans: Site Drg No 1019/01, Block Drg No 1019/02 Rev A, Proposed Floor Drg No 1019/05 Rev A, Proposed Elevations Drg No 1019/06 received on 27th November 2012.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roof of the extension hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the

Arun District Local Plan.

- 4 Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

- 5 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, GEN9, DEV19

THE NATIONAL PLANNING POLICY FRAMEWORK

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

- 6 Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.